

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
640 CAPITOLA ROAD
SANTA CRUZ, CA 95062
(408) 479-3511



April 4, 1992

Jonathon S. Horn
309 Santa Monica Boulevard
Suite 307
Santa Monica, Calif. 90401

Re: Chiate/Wildman

Dear Mr. Horn:

I am responding to your recent letter addressed to Peter Douglas, and am following up on subsequent telephone conversations between yourself and Linda Locklin of my staff.

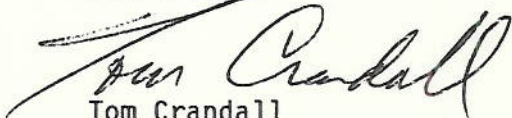
We all acknowledge the acute public access problems in the Malibu area. The Commission has responded to this problem by requiring, where appropriate, public access dedications. In the case of Black Tor/Edwards Trust, the Commission found that payment of a mitigation fee to be used specifically to develop the vertical easement and parking area on your client's property, or an alternative equivalent accessway to the same beach area, was necessary to comply with the Coastal Act.

Over the last year or more, you have been pursuing an alternative accessway program with the aid of the Coastal Conservancy staff and the result is the proposal in your May 16 letter. Essentially, you propose to extinguish the recorded offer of vertical access and parking area in return for construction of a five car parking lot adjacent to Pacific Coast Highway. As Ms. Locklin and Mr. Douglas have indicated to you previously, provision of parking alone does not mitigate for the loss of a vertical and parking easement. Therefore, the staff does not find your proposal consistent with the intent of the permit conditions. While we understand your desire to relocate the accessway off your client's parcel, we must reiterate that the Commission is bound by the Coastal Act policies and has previously found the need to require vertical and parking easement on the Chiate/Wildman parcel.

I am aware that you recently discussed another proposal with Ms. Locklin, and of course we are available to meet with you to discuss any such proposal. However, please keep the above parameters in mind when developing future scenarios.

One last item, our staff engineer, Lesley Ewing, has not had the opportunity to field inspect the easement area. To further our knowledge of the property, I would like to request permission for her to look at the land, when she is in the Malibu area. If that is amenable to you, I will have Ms. Locklin arrange for a meeting sometime in the next month or so.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Crandall", written over a horizontal line.

Tom Crandall
North Coast District Director

cc: Brenda Buxton
Linda Locklin
Lesley Ewing
Gary Timm